IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.372 OF 2005 IN SUIT NO.3751/2002

Vasant Maruti Palkar. ..Plaintiff.
Vs.
Municipal Corporation Gr. Mumbai and anr.
..Defendants.

None present.

CORAM : A.M. KHANWILKAR, J.
DATED : 19/7/2005.

P.C.:

1. None appears for the applicant. Affidavit of service is not filed. Dismissed for non prosecution.

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1. At 2.45 p.m. the applicant appeared in person and requested for setting aside the dismissal order passed in the morning session. Accordingly, the order is set aside.

2. The Office note indicates that the applicant has not filed the affidavit of service. On this count, this matter is required to be adjourned. In the circumstances, by way of indulgence, matter is adjourned to 29.8.2005. Adjournment is granted on

condition that the applicant to file affidavit of service on or before 25.7.2005 and also to pay the costs quantified at Rs.1500/- to the High Court Legal Service Committee on or before 9.8.2005 and produce the receipt thereof in the registry. Failing to comply any of the above condition, will result in dismissal of the chamber summons for non prosecution without further reference to the court. Parties to exchange their pleadings well in advance. S.O. 29.8.2005.

(A.M. KHANWILKAR,J.)